

REMARKS

Applicants have carefully reviewed the Application in light of the Office Action mailed February 1, 2006. At the time of the Office Action, Claims 1-55 were pending in the Application, Claims 49-55 were withdrawn, and Claim 38 was allowed. In the Office Action, the Examiner rejects Claims 1-7, 9-20, 22-29, 33-37, 39-42, and 44-48; and objects to Claims 8, 21, 30-32, and 43. Claims 49-55 are subject to restriction and/or election requirement. Applicants respectfully request reconsideration of the pending claims and favorable action in this case.

Section 103 Rejections

The Examiner rejects Claims 1-2, 4-6, 10, 12, 14, 15, 17-19, 23, 27, 28, 34, 39, 40, 44, and 46 under 35 U.S.C. §103(a), as being unpatentable over U.S. Patent No. 6,603,968 issued to Anvekar et al. (hereinafter “*Anvekar*”) in view of U.S. Patent Application Publication No. 2003/0119480 issued to Mohammed (hereinafter “*Mohammed*”). “To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references.” M.P.E.P. §706.02(j) (citing *Ex parte Clapp*, 227 U.S.P.Q. 972, 973 (Bd. Pat. App. & Inter. 1985)). Applicants respectfully submit that the Examiner does not present either to support the rejection under 35 U.S.C. §103(a).

Applicants respectfully submit that the combination fails to disclose, teach, or suggest each limitation recited in Applicants’ Claim 1. For example, the Examiner states that *Anvekar* “does not specifically disclose determining a control node associated with the registration request by using an algorithm.” *Office Action*, p. 3. The Examiner instead relies on *Mohammed*. *Office Action*, p. 3. However, Applicants assert that *Mohammed* does not disclose, teach, or suggest “determining a control node associated with the registration request by using an algorithm on a mobile unit identifier in the registration request.” Instead, *Mohammed* provides for a “base station 18 then identif[ying] itself to the provisioning server 700, . . . the base station broadcast[ing] a signal to the subscriber device 12 instructing it to

define itself[, and] . . . the subscriber device **12** [] defin[ing] itself by sending to the base station **18** an electronic serial number or a portion of an electronic serial number.” *Mohammed*, ¶¶ 0089, 0090. Therefore, *Anvekar* and *Mohammed*, alone or in combination, fail to disclose, teach, or suggest at least this limitation. Accordingly, Applicants respectfully request reconsideration and allowance of independent Claim 1 and its dependents.

Independent Claims 14, 27, and 39 each recite certain limitations that, for reasons substantially similar to those discussed with reference to independent Claim 1, *Anvekar* and *Mohammed*, alone or in combination, do not disclose, teach, or suggest. Therefore, Applicants respectfully request reconsideration and allowance of independent Claims 14, 27, and 39 together with their dependents.

The Examiner rejects Claims 3, 16, and 29 under 35 U.S.C. §103(a) as being unpatentable over *Anvekar* in view of *Mohammed* and further in view of U.S. Patent No. 6,728,237 issued to Helander (hereinafter “Helander”). The Examiner rejects Claims 7, 20, and 41-42 under 35 U.S.C. §103(a), as being unpatentable over *Anvekar* in view of *Mohammed* and further in view of U.S. Patent No. 6,014,558 issued to Thomas (hereinafter “Thomas”). The Examiner rejects Claims 9, 22, and 33 under 35 U.S.C. §103(a), as being unpatentable over *Anvekar* in view of *Mohammed* and further in view of U.S. Patent Application Publication No. 2003/0053430 A1 issued to Choi et al. (hereinafter “Choi”). The Examiner rejects Claims 13, 26, and 37 under 35 U.S.C. §103(a), as being unpatentable over *Anvekar* in view of *Mohammed* and further in view of U.S. Patent No. 6,041,358 issued to Huang et al. (hereinafter “Huang”). The Examiner rejects Claims 11, 24, 35, and 45 under 35 U.S.C. §103(a), as being unpatentable over *Anvekar* in view of *Mohammed* and further in view of U.S. Patent No. 6,728,300 B1 issued to Sarkar et al. (hereinafter “Sarkar”). The Examiner rejects Claims 25 and 36 under 35 U.S.C. §103(a), as being unpatentable over *Anvekar* in view of *Mohammed* and further in view of *Sarkar* and *Thomas*. The Examiner rejects Claim 47 under 35 U.S.C. §103(a), as being unpatentable over *Anvekar* in view of *Mohammed* and further in view of U.S. Patent No. 4,926,495 issued to Comroe et al. (hereinafter “Comroe”). The Examiner rejects Claim 48 under 35 U.S.C. §103(a), as being unpatentable over *Anvekar* in view of *Mohammed* and further in view of *Comroe* and U.S. Patent No. 6,385,204 issued to Hoefelmeyer et al. (hereinafter “Hoefelmeyer”).

Applicants respectfully submit that the combinations as recited above fail to disclose, teach, or suggest each limitation recited in Applicants' Claims 3, 7, 9, 11, 13, 16, 20, 22, 24-26, 29, 33, 35-37, 41-42, 45, and 47-48. The above-mentioned claims are dependent claims that include limitations of their respective independent claims, which have been shown to be allowable, and add additional elements that further distinguish the combinations. The combinations as recited do not disclose, teach, or suggest the limitations recited in Claims 3, 7, 9, 11, 13, 16, 20, 22, 24-26, 29, 33, 35-37, 41-42, 45, and 47-48. Furthermore, it is improper for an Examiner to use hindsight having read the Applicants' disclosure to arrive at an obviousness rejection. *In re Fine*, 837 F.2d 1071, 1075, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988). It is improper to use the claimed invention as an instruction manual or template to piece together the teachings of the prior art so that the claimed invention is rendered obvious. *In re Fritch*, 972 F.2d 1260, 23 U.S.P.Q.2d 1780 (Fed. Cir. 1992). For example, the Examiner relies on combinations of three different references to reject Claims 3, 7, 9, 11, 13, 16, 20, 22, 24, 26, 29, 33, 35, 37, 41-42, 45, and 47 and combinations of four different references to reject Claims 25, 36, and 48. For at least these reasons, Applicants respectfully request reconsideration and allowance of these claims.

Allowable Subject Matter

Applicants note with appreciation the Examiner's allowance of Claims 8, 21, 30-32, 38, and 43. The Examiner indicates that the subject matter of Claims 8, 21, 30-32, and 43 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. *Office Action*, p. 14. As discussed above, Applicants believe that independent Claim 1 (from which Claim 8 depends), independent Claim 14 (from which Claim 21 depends), independent Claim 27 (from which Claims 30-32 depend), and independent Claim 39 (from which Claim 43 depends) are allowable in their current form. Accordingly, Applicants believe that Claims 8, 21, 30-32, and 43 are also allowable in their current form. Applicants respectfully request reconsideration and allowance of Claims 8, 21, 30-32, and 43 in their current form.

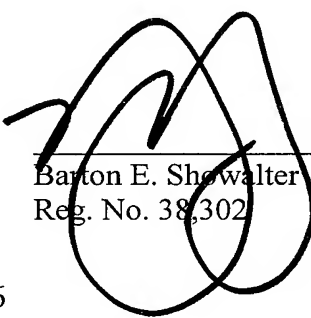
CONCLUSION

Applicants have now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for all other reasons clear and apparent, Applicants respectfully requests reconsideration and allowance of the pending claims.

Applicants believe that no fee is due. If, however, this is not correct, the Commissioner is hereby authorized to charge any amount required or credit any overpayment to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

If there are matters that can be discussed by telephone to advance prosecution of this application, Applicant invites the Examiner to contact its attorney, Barton E. Showalter, at (214) 953-6509.

Respectfully submitted,
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